

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION

FILED

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U.S. DISTRICT COURT  
N.D. OF ALABAMA

RENE B. MASON,

Plaintiff,

vs

STATE OF ALABAMA DEPT. OF  
CORRECTIONS, SCOTT STICKER,

Defendants.

CIVIL ACTION NO. 97-RRA-2839-NE

ENTERED

JAN 25 1999

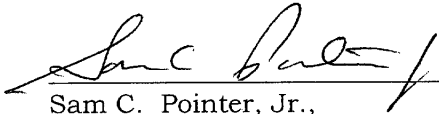
MEMORANDUM OPINION

This Title VII action was filed on October 28, 1997. An order of mediation was entered on June 3, 1998, and a mediator was appointed on June 10, 1998. Mr. Harry Lyles, attorney for the plaintiff, filed a motion to withdraw on August 11, 1998, which was granted on August 11, 1998; the case never reached mediation. The plaintiff was given thirty days from September 24, 1998, to inform the court as to whether she was represented by new counsel. After being informed by the plaintiff that she was actively seeking new counsel, the plaintiff was given until November 23, 1998, to obtain legal representation; she still is without counsel. On December 3, 1998, an order was entered recommending that this action be dismissed, with prejudice, for lack of prosecution; also in the report was an explanation to the plaintiff of the meaning of a dismissal with prejudice. The plaintiff was given fifteen days to object to the recommendation. The plaintiff has not objected to any part of the report and recommendation.

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Based upon this set of facts the court concludes that dismissal, with prejudice, for lack of prosecution, is appropriate. An order of dismissal in accordance with this memorandum opinion will be entered.

DONE this 23<sup>rd</sup> day of January, 1999.

  
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Sam C. Pointer, Jr.,  
Chief United States District Judge

SCANNED

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